

02-0016-HO

**BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

In the Matter of :

CRAIG A. WESTLEY  
Certificate of Registration  
Number 12360

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND BOARD ORDER  
NO. 02-0016-PHR**

DIRECTED TO: CRAIG A. WESTLEY  
11641 N Oceanus Place  
Oro Valley, AZ 85737-3416

Pursuant to the Consent to Entry of Order in this case, the evidence and records compiled and contained in the file for CRAIG A. WESTLEY and for good cause appearing, the Board enters the following Findings of Fact, Conclusions of Law and Board Order in the Matter of Notice of Hearing Number 02-0016-PHR ("Notice").

**FINDINGS OF FACT**

**I**

1. CRAIG A. WESTLEY is the holder of Certificate of Registration Number 12360 issued by the Arizona State Board of Pharmacy which permits the holder to practice pharmacy in the State of Arizona.

2. The evidence and testimony presented in this matter sustained the factual allegations in paragraphs one (1) through twenty-three (23) in section IV of the Notice attached hereto. The Board finds that:

CRAIG A. WESTLEY has violated Title 21, United States Code, Sections 843(a)(3) and 843(d)(1), A.R.S. § 32-1927(A)(10), A.R.S. § 32-1927(B)(2), A.R.S. § 36-2525(C) and (D), A.R.S. § 32-1965 (8), 21 C.F.R. § 1306.11 and 21 C.F.R. § 1306.21 to wit:

fraudulently obtaining the Class II and III Controlled Substances as listed in the Notice of Hearing number 02-0016-PHR without valid prescriptions.

**CONCLUSIONS OF LAW**

**II**

1. The Board concludes that it has jurisdiction in this Matter pursuant to A.R.S. § 32-1901 et

1 seq.

2 2. The Board concludes that CRAIG A. WESTLEY's conduct as contained in the Factual  
3 Allegations in the Notice violated Title 21, United States Code, Sections 843(a)(3) and 843(d)(1), A.R.S.  
4 § 36-2525(C) and (D), A.R.S. § 32-1965(8), 21 C.F.R. § 1306.11 and 21 C.F.R. § 1306.21 to wit:  
5 fraudulently obtaining the Class II & III Controlled Substances as listed in Notice of Hearing  
6 number 02-0016-PHR without valid prescriptions.

7 3. The Board further concludes that CRAIG A. WESTLEY's conduct as contained in the Factual  
8 Allegations in the Notice is in violation of A.R.S. § 32-1927(A)(10), A.R.S. § 32-1965(8) and 32-  
9 1927(B)(2).

### 10 ORDER

#### 11 III

12 The Certificate of Registration Number 12360 issued to CRAIG A. WESTLEY is hereby  
13 suspended, effective July 30, 2001, the date of voluntary surrender by CRAIG A. WESTLEY, until  
14 August 21, 2002, and on August 22, 2002 a probation is imposed for four (4) years, subject to the  
15 following terms and conditions:

16 1. CRAIG A. WESTLEY shall pay a civil penalty of one hundred dollars (\$100.00) for each of the  
17 twenty-one (21) violations for a total of two thousand and one hundred dollars (\$2,100.00) within sixty (60)  
18 days of the date of this Order.

19 2. CRAIG A. WESTLEY shall not serve as a preceptor pharmacist nor as a pharmacist in charge  
20 throughout the term of suspension and probation.

21 3. CRAIG A. WESTLEY shall furnish the Arizona State Board of Pharmacy with a list of all  
22 jurisdictions in which he maintains or has maintained licensure in the profession of pharmacy along with the  
23 registration number of said licenses.

24 4. CRAIG A. WESTLEY is required to advise the Arizona State Board of Pharmacy in writing  
25 within three (3) days of any change in pharmacy employment status throughout the term of probation.

26 5. CRAIG A. WESTLEY is required to furnish all of his pharmacy employers with a copy of this  
Board Order within three (3) days of accepting employment throughout the term of probation.

1 6. CRAIG A. WESTLEY shall pay all fees and complete all Continuing Education requirements to  
2 maintain certificate of registration number 12360 throughout the term of probation.

3 7. CRAIG A. WESTLEY shall obey all federal and state laws and rules governing the practice of  
4 pharmacy.

5 8. CRAIG A. WESTLEY shall bear the responsibility for the release of information forms and  
6 reports required by this Order.

7 9. CRAIG A. WESTLEY shall "hold harmless" the provider of any required reports to the Board  
8 of Pharmacy.

9 10. CRAIG A. WESTLEY shall have initiated a five (5) year contract with the Pharmacists  
10 Assisting Pharmacists of Arizona (PAPA) and comply with each and every requirement of that contract  
11 throughout the term of probation.

12 11. CRAIG A. WESTLEY shall submit to a minimum of forty-eight (48) annual random  
13 biological fluid screenings for the presence of drugs in the system as determined by PAPA for the first  
14 twenty-four (24) months of of probation.

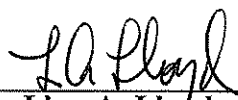
15 12. CRAIG A. WESTLEY shall appear before the Arizona State Board of Pharmacy on or after  
16 August 22, 2006, to request that the probation imposed by this Order be terminated.

17 13. If CRAIG A. WESTLEY violates this Order in any way or fails to fulfill the requirements of  
18 this Order, the Board, after giving CRAIG A. WESTLEY notice and the opportunity for a hearing, may  
19 revoke, lift the stay of suspension or take other disciplinary action against CRAIG A. WESTLEY.  
20

21 **DATED this 22<sup>nd</sup> day of August, 2002**  
22

23 **ARIZONA STATE BOARD OF PHARMACY**

24  
25 **SEAL**

26 By   
Llyn A. Lloyd  
Executive Director

Copies of the foregoing Finding of Fact,  
Conclusions of Law and Board Order  
sent via Certified US mail this 29<sup>th</sup> day  
of August 2002, to:

CRAIG A. WESTLEY  
11641 N Oceanus Place  
Oro Valley, AZ 85737-3416

and by Courier Mail to:

M. Elizabeth Burns  
Assistant Attorney General  
Civil Division  
1275 W. Washington  
Phoenix, AZ 85007

and

Victoria Mangiapane  
Assistant Attorney General  
Solicitor General's Office  
1275 W. Washington  
Phoenix, AZ 85007

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Craig A. Westley  
11641 N. Oceanus Place  
Oro Valley, AZ 85737-3416

2. Article Number

(Transfer from service label)

7000 1670 0009 3603 7681

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

CRAIG A WESTLEY

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service

**CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

Domestic Return Receipt

102595-01-M-0381

Board Order 02-0016-PHR

Postage \$

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Total Postage & Fees \$

SENT 8/29/02

Postmark  
Here

Sent To

Craig Westley

Street, Apt. No., or PO Box No.

11641 N. Oceanus Place

City, State, ZIP+4

Oro Valley, AZ 85373-3416

PS Form 3800, May 2000

**SENDER: COMPLETE THIS SECTION**

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Craig Westley  
11641 N. Oceanus Place  
Oro Valley, AZ 85373-3416

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

9-5-02

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7000 1670 0009 3603 7599

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-0381

7000 1670 0009 3603 7599